

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TROY BEARDEN, individually and on behalf
of all persons similarly situated,

Plaintiff,

v.

PRECISION AIR DRILLING
SERVICES, INC.,

Defendant.

Civil Action No.: 2:11-cv-01511-NBF

ELECTRONICALLY FILED

ORDER

AND NOW, this 26th day of September, 2012, upon consideration of Plaintiff's Unopposed Motion for Final Approval of the Settlement Agreement, the Court grants the Motion and ORDERS as follows:

1. The Parties' Settlement Agreement is finally approved as a fair and reasonable resolution of a *bona fide* dispute, and the consummation of the settlement shall be made pursuant to the terms of the Settlement Agreement;

2. For settlement purposes only, the following Settlement Class is finally certified pursuant to 29 U.S.C. § 216(b): all individuals who are current or former non-exempt employees of Precision Air Drilling Services, Inc. ("Precision"), who performed work for Precision in the United States at any time between November 28, 2008 and April 30, 2012, and who were paid pursuant to a daily rate compensation system, including but not limited to Operators and those in similarly titled positions;

3. The service award and payment to Mr. Bearden in the amount of \$15,000.00, as compensation for his individual retaliation claim against Defendant, and for his efforts in

bringing and prosecuting this matter, and in exchange for his Claims Released executed in favor of Defendant, is finally approved;

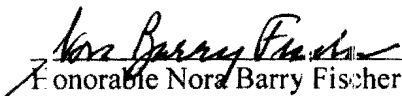
4. Plaintiff's request for attorneys' fees and costs is granted, and payment of attorneys' fees in the amount of \$166,650.00 and costs in the amount of \$9,218.85 are finally approved;

5. Heffler, Radetich & Saitta LLP is finally approved as Claims Administrator and the costs of claims administration are finally approved, not to exceed \$15,000.00;

6. The Class Members who opt-ed in to the FLSA Collective Action or who submitted a claim form are hereby bound by the releases described in the Settlement Agreement.

7. The Court reserves exclusive and continuing jurisdiction over this action with respect to any further proceedings concerning the administration, implementation, enforcement, construction or consummation of the Settlement Agreement.

BY THE COURT,


Honorable Nora Barry Fischer
United States District Judge